Supreme Court, U.S.
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CLERK

No. 85-1537

In the Supreme Court of the United States

OCTOBER TERM, 1985

BETTY O. MUKA,
APPELLANT,

v.

FRANK A. CARTER, JR.,
CHIEF DISCIPLINARY COUNSEL,
APPELLEE.

MOTION TO DISMISS APPEAL FROM THE RHODE ISLAND SUPREME COURT

KATHLEEN MANAGHAN
CORCORAN, PECKHAM & HAYES
61 Long Wharf
Newport, Rhode Island 02840
(401) 847-0872
Counsel for Appellee

Blanchard Press, Inc., Boston, Mass.—Law Printers (617) 426-6690

I

QUESTIONS PRESENTED

1. Should Appellant's constitutional challenges to the Disciplinary Rules of the Rhode Island Supreme Court be heard initially in the U.S. District Court?

2. Does the Court have jurisdiction to review the Questions Presented by Appellant which do not raise federal issues?

3. Does this Court have jurisdiction to review the opinion of the Rhode Island Supreme Court which opinion contains no decision on federal issues?

4. Were there sufficient non-federal grounds to support the Supreme Court's Opinion?

5. Ought Appellant to be allowed to assert a right to review by certiorari?

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In the
Supreme Court of the United States

OCTOBER TERM, 1985

No. 85-1537

BETTY O. MUKA,
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v.

FRANK A. CARTER, JR.,
CHIEF DISCIPLINARY COUNSEL,
APPELLEE.

MOTION TO DISMISS APPEAL FROM THE RHODE ISLAND SUPREME COURT

Opinion Below

The Opinion of the Rhode Island Supreme Court in the instant case is cited at 502 A.2d 327 and is set forth in Appellant's Appendix at pages A-1 through A-6k.

Statutory Provisions Involved

28 U.S.C. Section 1257. State courts; appeal; certiorari: Final judgments or decrees rendered by the highest court of a State in which a decision could be had, may be reviewed by the Supreme Court as follows:

(1) By appeal, where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

(2) By appeal, where is drawn in question the validity of a statute of any state on the ground of its being repugnant to the Constitution, treaties or laws of the United States, and the decision is in favor of its validity.

(3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a State statute is drawn in question on the ground of its being repugnant to the Constitution, treaties or statutes of, or commission held or authority exercised under, the United States.

For the purposes of this section, the term "highest court of a State" includes the District of Columbia Court of Appeals.

Also relevant are Rhode Island Supreme Court Disciplinary Rule 42-4 cited at Appellant's Appendix A-33; Rhode Island Disciplinary Rule 42-5, cited at Appellant's Appendix A-34; Rhode Island Disciplinary Rule 42-6, cited at Appellant's Appendix A-36, Disciplinary Rule 7-102 cited at Appellant's Appendix A-6j through A-6k, Disciplinary Rule 7-106, cited at Appellant's Appendix A-6k, and Disciplinary Rule 8-102, cited at Appellant's Appendix A-51 through A-52.

Statement of Case

This appeal comes before this Court as a request to review an Opinion of the Rhode Island Supreme Court, which Opinion directed the disbarment of Appellant Betty O. Muka from the practice of law in the State of Rhode Island. Appellee

Frank A. Carter, Jr., Chief Disciplinary Counsel, hereby moves that said appeal be dismissed on the grounds that this Court lacks jurisdiction to entertain the same pursuant to the provisions of 28 U.S.C. Section 1257.

Appellee Frank A. Carter, Jr. is Chief Disciplinary Counsel for the Supreme Court of the State of Rhode Island with the responsibility for investigating, and if necessary, prosecuting alleged infractions by members of the Bar of the State of Rhode Island of Disciplinary Rules of the Rhode Island Supreme Court governing attorneys practicing in the State of Rhode Island. (See Rule 42-5, Supreme Court Disciplinary Rules at Appellant's Appendix A-34.) On or about June 4, 1984, Appellee filed two Petitions for Disciplinary Action in the Clerk's Office of the Rhode Island Supreme Court, alleging a number of violations by Appellant of said Disciplinary Rules. Such violations included accusing a respected member of the Rhode Island Supreme Court judiciary of accepting a bribe to dispose of a case and of being a member of organized crime. Ordinarily, the filing of such a Petition would be followed by a hearing before one of three Disciplinary Boards. (See Rule 42-4, Supreme Court Disciplinary Rules at Appellant's Appendix A-33, and Rule 42-6, Supreme Court Disciplinary Rules at Appellant's Appendix A-36.) The Rhode Island Supreme Court would then review the findings and recommendations of the Disciplinary Board. However, prior to June 4, 1984, Appellant had already filed her own Disciplinary Petitions against all nine Board members, who thereupon recused themselves from hearing Appellee's Petitions. Therefore, the Rhode Island Supreme Court was the only remaining disciplinary forum available before which testimony in support of Appellee's Petitions could be presented. Following the filing of said Petitions, and Appellant's responses thereto, hearings therefore took place before the Rhode Island Supreme Court, which included the taking of testimony from numerous witnesses over a period of six months from November, 1984 through April, 1985.

Those hearings resulted in the entry of a temporary Order by the Rhode Island Supreme Court dated April, 19, 1985, suspending Appellant from the practice of law in the State of Rhode Island. A final Opinion directing disbarment was entered on December 5, 1985. (See Appellant's Appendix A-1 through A-6k.)

Shortly before the disciplinary proceedings against Appellant were to begin in the Rhode Island Supreme Court, she filed a 53 page verified Complaint in the Federal District Court for the District of Rhode Island, alleging numerous state and federal constitutional infirmities in the Disciplinary Rules themselves and with regard to their application to her. The cause was initially filed in the United States District Court for the District of Rhode Island, but was transfered by that Court to the District of New Hampshire, due to the fact that Appellant Muka had named as party Defendants, all of the justices of the Rhode Island Supreme Court as well as most of the judges on the Rhode Island Superior Court (Rhode Island's chief trial court), all jurists who had allegedly denied Appellant her constitutional rights at some time in the past. (See heading of Appellant's Complaint at A-1).

Among the prayers for relief contained in that Complaint was a prayer for an injunction against the commencement of the pending disciplinary proceedings. Pursuant to that prayer, an evidentiary hearing was held before the Honorable Shane Devine, U.S. District Judge for the District of New Hampshire, the day before the disciplinary proceedings were to begin. Appellant's request for an injunction was denied in a holding which determined that Appellant's constitutional due process rights were being adequately protected by the Rhode Island Supreme Court. Appellant Muka appealed Judge Devine's decision to the United States Court of Appeals for the First Circuit, which on April 24, 1985, affirmed Judge Devine's order (see decision of the United States Court of Appeals for the First Circuit *in re: Betty O. Muka* v. *The Supreme Court*

of the State of Rhode Island, et al. at A-2 - A-4). Appellant has not sought further review of this decision. The federal cause has now been remanded back to the District Court in New Hampshire for further disposition of Appellant Muka's remaining claims.

Reasons For Granting Motion To Dismiss

I. Appellant's Constitutional Challenges to the Disciplinary Rules of the Rhode Island Supreme Court Should be Heard and Ruled on Initially in the Pending Federal District Court Proceeding.

A number of Appellant's Questions Presented (specifically 11, 16, 17, 19, 22, 24, 25, 26, 28,) assert federal constitutional challenges to the Rhode Island Supreme Court Disciplinary Rules themselves without specific reference to their application to Appellant in the proceedings which took place in the Rhode Island Supreme Court. Those same constitutional challenges to the Disciplinary Rules are repeated in Appellant's pending District Court action in Claim No. 2.

This court in *District of Columbia Court of Appeals* v. *Feldman*, 460 U.S. 462, 103 S.Ct. 1303, 1316-1317, 75 L.Ed.2d 206 (1983), expressly stated that Federal District Courts have subject matter jurisdiction to entertain challenges to state bar rules. The U.S. District Court for the District of New Hampshire will, as part of its disposition of Appellant's Complaint, be ruling on the same constitutional challenges that Appellant has made in the enumerated questions to certain of the Rhode Island Supreme Court Disciplinary Rules. Since the Rhode Island Supreme Court did not itself address the constitutionality of its Disciplinary Rules in its Opinion—giving this Court no constitutional determination to review—Appellant ought not to be allowed to compel this Court to be the Court of first instance in making these constitutional determinations.

In addition, the only constitutional issues raised by Appellant before the Rhode Island Supreme Court—either concerning the Disciplinary Rules themselves, or concerning their application to her—were those raised in Questions Presented numbers 17 and 28 (immunity as a violation of the 14th Amendment, and infringement of her First Amendment rights of freedom of speech). This Court ought additionally therefore to decline to accept for review any of the constitutional issues raised by Appellant save these two. *Cardinale* v. *Louisiana*, 394 U.S. 437, 89 S.Ct. 1161, 22 L.Ed.3d 398 (1969).

II. This Court Lacks the Jurisdiction to Review by Appeal Questions Presented by Appellant Which do not Raise Federal Issues.

28 U.S.C. Section 1257 provides for appellate review by this Court of final judgments or decrees rendered by the highest court of a state:

1. By appeal where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

2. By appeal where is drawn in question the validity of a statute of any state on the ground of its being repugnant to the Constitution, treaties or laws of the United States and the decision is in favor of its validity.

Most of the Questions Presented by Appellant raise no federal statutory or federal Constitutional issue, but call only for the construction or the statutory of Constitutional law of the State of Rhode Island. Specifically those Questions Presented which raise no federal issue are: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 (general reference to "constitutionality", but not specific reference as to which constitution, e.g. federal or state, and appropriate section), 13, 14, 15, 20, 29, 30 and 34 (again a general reference to unconstitutional application of a Disciplinary Rule without reference to which constitution), 31,—additional reference to unconstitutional treatment without further speci-

ficity, 32—further vague reference to unconstitutionality, 33, 35—further vague reference to unconstitutionality, 36, 37, 38, 39, 40, 41 and 44—further vague reference to unconstitutionality, 42, 43, 45, 47, 48, 49, 50, 51, 52, 53 and 54.

As to those Questions Presented which refer vaguely to some form of unconstitutionality, neither Appellee nor this court should be compelled to guess to which section of which constitution, federal or state, Appellant wishes to refer: As to question 55, it is not likely that this Court would be willing to take responsibility for determining on Plaintiff's behalf, whether any other of her federal rights have been violated. None of the enumerated Questions Presented draw into question the kind of federal issue referred to in the quoted sections of 28 U.S.C. Section 1257. Therefore, as to these recited Questions Presented this appeal ought to be dismissed.

III. The Rhode Island Supreme Court Made no Decision in Favor of the Validity of a State Statute Which Would Give This Court Jurisdiction Under 28 U.S.C. § 1257(2).

28 U.S.C. Section 1257(2) provides for appeal to this court from an Opinion of the highest court of a state "where is drawn in question the validity of a statute of any state on the ground of its being repugnant to the constitution, treaties or laws of the United States and the decision is in favor of its validity". As previously stated, of Appellant's Questions Presented, only a percentage raise federal constitutional challenges and of that percentage, only two—the issues raised in Questions Presented, numbers 17 and 28—were raised before the Rhode Island Supreme Court in the form of Appellant's Answer to the Disciplinary Counsel's complaints. Examination of the final Opinion of the Rhode Island Supreme Court will show that that Court dealt only with the facts presented to it at the numerous hearings it held, which supported Appellee's assertion that Appellant had violated certain specified

Disciplinary Rules of the Rhode Island Supreme Court. The Rhode Island Supreme Court did not consider either of the constitutional assertions raised by Appellant. Therefore, there is no "decision" for this court to review as required by 28 U.S.C. Section 1257(2). The lack of such an express decision denies to this Court jurisdiction to consider Appellant's appeal on these two Questions Presented. See *Crowell* v. *Randell*, 35 U.S. 369, 9 L.Ed. 458 (1836), *Franks* v. *Delaware*, 438 U.S. 154, 98 S.Ct. 2674, 57 L.Ed.2d 667 (1978).

IV. There Were Sufficient Non-Federal Grounds Present to Support Appellant's Disbarment.

Disciplinary proceedings were commenced against Appellant for her violation of a number of Rhode Island Supreme Court Disciplinary Rules, among them, Disciplinary Rule 7-102 (Appellant's Appendix A-6j through A-6k), Disciplinary Rule 7-106 (Appellant's Appendix A-6k) and Disciplinary Rule 8-102 (Appellant's Appendix A-51 through A-52).

The Rhode Island Supreme Court in its *per curiam* Opinion enumerated the following conduct of Appellant with regard to a medical malpractice case which she had prosecuted in the Rhode Island Superior Court:

1. In two documents filed in the Clerk's Office, Appellant made a variety of unsupported defamatory allegations against several judges, including the Trial Court Judge of the medical malpractice case in which the pleadings were filed; attorneys, court personnel, and other members of the public. The allegations included charges of conspiracy, obstruction of justice, suborning perjury, payoffs and membership in the judicial mafia. No evidence was presented to the Rhode Island Supreme Court to support these allegations, which were refuted by witnesses presented on behalf of Appellee.

2. In testimony before the Rhode Island Supreme Court, Appellee admitted altering an exhibit which was in the appeal file of the medical malpractice case.

3. Transcripts of the medical malpractice file included statements by Appellant characterized by the Rhode Island Supreme Court as "vituperative and unsupported accusations against Justice Needham [the Trial Court judge], members of the bar and other persons as set forth in our Order, either with actual knowledge of the falsity of said accusations or with reckless disregard of whether they were true or false", Opinion of Rhode Island Supreme Court, Appellant's Appendix A-6a through A-6b. Indeed, Appellant's statement of the case filed with this court repeats many of these same accusations.

The Rhode Island Supreme Court also summarized Appellant Muka's *pro se* activities within the State of New York in a number of reported cases in which she had engaged in much the same conduct. In fact, in one of those cases, *Muka* v. *New York State Bar Association*, 120 Misc.2d 897, 898, 466 N.Y.S.2d 891, 892 (1983), Appellant had listed as Defendants Cornell Law School, members of the Appellate Division of the Supreme Court, the New York State Court of Appeals, the New York State Commission on Judicial Conduct and six Supreme Court justices in the Sixth Judicial District (Appellant's Appendix A-6d through A-6e). In another action, she named as Defendants a United States District Court Judge, Governor Hugh Carey of the State of New York, the State Attorney General, then United States Attorney General Griffin Bell, both houses of the New York State Legislature, the American Bar Association, the Chief Judge of the New York State Court of Appeals, the Dean of the Harvard Law School and a number of other judges (Appellant's Appendix A-6f through A-6g). Appellant has since been enjoined from commencing any civil action in New York, unless represented by a licensed attorney of that state. In summary, said the Rhode Island Supreme Court:

> Not only is her procedural knowledge patently inadequate, but she has manifested in this State and also in the State of New York, an utter disregard for the requirements of law and the rights of any person who has the temerity

> to disagree with her or refuses to grant whatever request or demand the respondent may make upon him or her. (Appellant's Appendix A-6h).

Appellant's habit of suing or castigating every member of the judicial community with which she comes in contact continued when she came to Rhode Island as can be seen from the Supreme Court's recitation of her activities and from Appendix A-1, the heading of the action which she has filed in the United States District Court for the District of Rhode Island. Her activities, especially her accusations against the Superior Court trial judge constitute blatant violations of the recited Disciplinary Rules. Her claim that her right to freedom of speech was unconstitutionally limited is contradicted by cases supporting the constitutionality of disciplinary rules such as DR 8-102(B). See e.g. in separate opinions of Justices Stewart and Frankfurter in *In re Sawyer*, 360 U.S. 622, 79 S.Ct. 1376, 3 L.Ed.2d 1473 (1959), and *State* v. *Eisenberg*, 48 Wis.2d 364, 180 N.W.2d 529, *cert. den.* 402 U.S. 987, 91 S.Ct. 1669, 29 L.Ed.2d 153, *rehearing den.* 403 U.S. 940, 91 S.Ct. 2250, 29 L.Ed.2d 721. Her claim that she has been denied due process is contradicted by the extensive number of hearings held before the Rhode Island Supreme Court on the two disciplinary complaints brought against her, at which she was given every opportunity to contradict the contents of those complaints, but instead did her best to in fact reiterate before that court the unfounded accusations she had made below concerning various judges and lawyers in the State of Rhode Island. Indeed, the Rhode Island Supreme Court had no choice but to disbar her. See *Smith* v. *Smith*, 366 U.S. 210, 81 S.Ct. 1050, 6 L.Ed.2d 233 (1961).

V. APPELLANT OUGHT NOT TO BE ALLOWED TO ASSERT CERTIORARI AS A METHOD OF REVIEW.

Appellant clearly has sought review of the December 5, 1985 Opinion of the Rhode Island Supreme Court disbarring her from the practice of law by appeal rather than by certiorari. She argues on page 51 of her Jurisdictional Statement that her appeal is authorized by Section 1257(2) of Title 28 of the United States Code. Her Jurisdictional Statement is clearly entitled "Appeal from the Rhode Island Supreme Court". She also filed a "Notice of Appeal" with the Rhode Island Supreme Court appealing its order "as of statutory right" to this Court pursuant to 28 U.S.C. § 2101(c). (See Appendix of Appellee Frank Carter, A-5).

On page 52 of her Jurisdictional Statement, Appellant claims that a Writ of Certiorari is also authorized to her by 28 U.S.C. Section 1257(3). Appellant has not filed a Petition for a Writ of Certiorari. She has claimed a statutory right to an appeal. Assuming that this appeal is procedurally improper, this court ought to disregard Appellant's attempts to characterize her action as anything other than an appeal under Title 28 U.S.C. Section 1257(2).

Conclusion

For the aforesaid reasons, Appellee Frank A. Carter, Jr., Chief Disciplinary Counsel, respectfully requests that the Appeal of Betty O. Muka, from an Opinion of the Rhode Island Supreme Court dated December 5, 1985, be dismissed.

Respectfully submitted,

KATHLEEN MANAGHAN
CORCORAN, PECKHAM & HAYES
61 Long Wharf
Newport, Rhode Island 02840
(401) 847-0872
Counsel for Appellee

APPENDIX A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CIVIL ACTION NO. _____

BETTY O. MUKA,
PLAINTIFF,

v.

THE SUPREME COURT OF THE STATE OF RHODE ISLAND, JOSEPH A. BEVILACQUA, THOMAS F. KELLEHER, JOSEPH R. WEISBERGER, FLORENCE KERINS MURRAY, DONALD F. SHEA, WALTER J. KANE, BRIAN B. BURNS, BEVERLY CLARK, RONALD A. TUTALO, THE STATE OF RHODE ISLAND, DISCIPLINARY COUNSEL, FRANK A. CARTER, JR., DISCIPLINARY BOARD, ERNEST AGRESTI, MELVIN A. CHERNICK, LEONARD KIERNAN, ROBERT KILMARX, LEWIS Z. LAVINE, JEREMIAH C. LYNCH, NANCY PALMISCIANO, ANTHONY VACCA, RONALD R. LAGUEUX, KENNETH P. BORDEN, ARTHUR G. CAPALDI, JOSEPH Q. CALISTA, JOSEPH F. RODGERS, COMMISSION ON JUDICIAL DISCIPLINE AND TENURE, RAYMOND J. SURDUT, KENNETH J. MACKSOUD, ROSENSTEIN SURDUT MACKSOUD & GOODWIN, B. LUCIUS ZARLENGA, EDWARD P. SOWA, GUNNING LAFAZIA & GNYS INC., JOHN B. REILLY, CLIFFORD J. CAWLEY, J. JOSEPH NUGENT, STEPHEN NUGENT, MARK T. NUGENT, THOMAS R. DESIMONE, JOHN T. BEVILACQUA, JOSEPH A. KELLY, DAVID W. CARROLL, MARK S. MANDELL, LOUIS B. RUBENSTEIN, ALFRED G. THIBODEAU, JOHN F. DOLAN, THOMAS H. NEEDHAM, NUGENT & NUGENT, LEONA CHARPENTIERE, JOHN DOE LAW CLERK OF THOMAS H. NEEDHAM, CHARLES F. TRUMPETTO, HENRY E. LALIBERTE, GORHAM & GORHAM, ALICE MILES, RUTH GORHAM, BRADFORD GORHAM, JOHN GORHAM, ARTHUR M. READ II, NICHOLAS BARRETT, ERNIE DIBELLO, ALEXANDER WALSH, MARY KING, SUPREME COURT CLERK'S OFFICE, SUPERIOR COURT CLERK'S OFFICE, ANTHONY A. GIANNINI, C. RUSSELL BENGSTON, CAROL A. CAMPAGNONE, ROSALIND CHASET, DOMINIC F. CRESTO, WILLIAM EGAN, HARRY M. IONNATTI, JOHN B. LAWLOR, LESLIE D. LEMIEUX, KATHLEEN MANAGHAN, MEDICAL MALPRACTICE JOINT UNDERWRITERS ASSOCIATION OF RHODE ISLAND, and other John and Jane Does unknown at this time, PEERLESS INSURANCE COMPANY, ROSALIND CHASET AS ADMINISTRATRIX OF THE ESTATE OF THE LATE NATHAN D. CHASET, PIRRAGLIA, 6TH DISTRICT COURT CLERK'S OFFICE,
DEFENDANTS.

APPENDIX B

United States Court of Appeals
For the First Circuit

No. 84-2036

BETTY O. MUKA,
PLAINTIFF, APPELLANT,

v.

THE SUPREME COURT OF THE STATE OF RHODE ISLAND, ET AL.,
DEFENDANTS, APPELLEES.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE
[HON. SHANE DEVINE, *US. District Judge*]

Before
CAMPBELL, *Chief Judge*,
BREYER AND TORRUELLA, *Circuit Judges*.

Betty O. Muka on brief pro se.
Marilyn F. McGair and *Thomas Dickinson*, Special Assistant Attorneys General, and *Arlene Violet*, Attorney General, on brief for appellees.

April 24, 1985

Per Curiam. Plaintiff, a lawyer facing disciplinary proceedings before the Supreme Court of Rhode Island, appeals from the denial of her motion for a preliminary injunction to enjoin the disciplinary proceedings on the grounds that the state constitution and various court rules are unconstitutional and that she has been denied due process in the proceedings.

Absent bad faith, harassment, or other extraordinary circumstances, federal courts must abstain from interfering with state disciplinary proceedings. *Middlesex County Ethics Committee* v. *Garden State Bar Association*, 457 U.S. 423 (1982). Pointing to her 53 page verified complaint and other pleadings, plaintiff contends she has shown the necessary bad faith. However, an evidentiary hearing was held on plaintiff's motion for a preliminary injunction, after which the district court referred to abstention principles and found that the hearing the state court intended to hold would afford plaintiff due process and that it was unlikely plaintiff would succeed on the merits of her claims. Plaintiff has not furnished us with a transcript of the evidentiary hearing, and hence on the record before us we see no error or abuse of discretion in the denial of preliminary injunctive relief. *See Muniz Ramirez* v. *Puerto Rico Fire Services*, No. 84-1650, slip op. at 2-3 (1st Cir. April 1, 1985) (appellant's duty to furnish transcript).

Plaintiff's motion to strike the Attorney General's brief is denied. The Attorney General's motion for double costs is granted; attorneys fees are denied.

Affirmed.

United States Court of Appeals
For the First Circuit

No. 84-2036

BETTY O. MUKA,
PLAINTIFF, APPELLANT,

v.

THE SUPREME COURT OF THE STATE OF RHODE ISLAND, ET AL.,
DEFENDANTS, APPELLEES.

JUDGMENT
ENTERED: APRIL 24, 1985

This cause came on appeal from the United States District Court for the District of New Hampshire, and was submitted on the original record and the briefs.

Upon consideration whereof, it is now here ordered, adjudged and decreed as follows: The judgment of the district court is affirmed. Double costs to appellees, Rhode Island Supreme Court, Et Al.

By the Court:

FRANK P. SCIGLIANO, *Clerk.*

APPENDIX C

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

SUPREME COURT 85-188 M.P.
No. DB-247
No. DB-248

FRANK A. CARTER, JR.,
CHIEF DISCIPLINARY COUNSEL

v.

BETTY O. MUKA

NOTICE OF APPEAL

PLEASE TAKE NOTICE that the undersigned respondent, BETTY O. MUKA, hereby appeals from the order of this court dated Dec. 5, 1985 in the above entitled matters, to the United States Supreme Court, pursuant to the authority of Section 2101(c) of Title 28 of the United States Code, as of statutory right.

(s) BETTY O. MUKA
BETTY O. MUKA, respondent
113 Kay St.
Ithaca, N.Y. 14850
(607) 257-2016
and
23 Carol Court
Providence, R.I. 02909
(401) 831-2282

Dated: March 4, 1986

Original to:
Clerk of the Rhode Island
Supreme Court
250 Benefit St.
Providence, R.I. 02903

Copy to:
Kathleen Managhan, Esq.
Assistant Disciplinary Counsel
Corcoran, Peckham & Hayes, P.C.
P.O. Box 389
Newport, R.I. 02840

Copy to:
Frank A. Carter, Jr.
Disciplinary Counsel
250 Benefit St.
PROVIDENCE, R.I. 02903

SUPREME COURT
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